

Message Text

CONFIDENTIAL

PAGE 01 SANTIA 03184 281842Z

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----095571 281846Z /42

O 281715Z APR 78

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 9038

CONFIDENTIAL SANTIAGO 3184

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EXDIS

FOR ARA D AND L ONLY

E.O. 11652: GDS

TAGS: PGOV, SHUM, CI

SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION

REFS: (A) STATE 97676 (B) SANTIAGO 2905

ALGREDO ETCHEBERRY HAS SUPPLIED THE FOLLOWING ADDITIONAL INFORMATION IN RESPONSE TO THE QUESTIONS POSED IN REFTEL
(A):

--BOTH CHILE AND THE US HAVE SIGNED AND RATIFIED THE EXTRADITION CONVENTION OF MONTEVIDEO OF 26 DECEMBER 1933.

--ARTICLE 2 OF THE CONVENTION STIPULATES THAT A COUNTRY NOT AGREEING TO EXTRADITE ONE OF ITS OWN NATIONALS IS OBLIGED TO TRY THAT PERSON, PROVIDED THAT THE CRIME ON WHICH THE EXTRADITION REQUEST IS BASED IS ALSO A CRIME IN THE LEGISLATION OF THE COUNTRY REFUSING EXTRADITION END THAT THE PENALTY FOR THAT CRIME IS AT LEAST ONE YEAR IN JAIL.

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--WHILE THE BILATERAL EXTRADITION TREATY OF 1902 BETWEEN CHILE AND THE US DOES NOT STIPULATE THAT A PARTY REFUSING EXTRADITION OF ONE OF ITS NATIONALS MUST TRY THAT PERSON UNDER DOMESTIC LAW, THE EFFECT OF THE MONTEVIDEO CONVENTION IS TO MAKE THAT A REQUIREMENT SHOULD EITHER CHILE OR THE US REFUSE A

REQUEST FOR EXTRADITION ON THE BASIS OF THE NATIONALITY
OF THE PERSON FOR WHOM EXTRADITION IS REQUESTED.
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Message Attributes

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Decaption Note: 25 YEAR REVIEW
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